FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 347 OF 2004

Office notes, office Memoranda of Coram, appearance, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

Mr.A.S.Shitole, A.P.P. for the State.

CORAM : R.S. MOHITE,J.
DATED : 12/1/2006.

P.C.

1. This is an appeal filed by the State impugning a judgment and order dated 11.12.2003 passed by the 2nd Ad-hoc Addl.Sessions Judge, Kolhapur acquitting the accused for offence punishable under Section 498A and 306 of the I.P.C. On perusing the impugned judgment and order it is seen that the acquittal is based upon cogent and acceptable reasons. It is observed by the court that the evidence of the complainant, his wife and his mother in law is vague on the point of ill-treatment caused by the accused to the deceased Reshma. None of the

witnesses have quoted any particular incident of ill-treatment. It appears from the record that even on the test of proximity of ill-treatment to the act of suicide, the prosecution must fail. There is two days delay in filing of the F.I.R. The delay is also not explained. This is not a fit case to interfere. Hence, leave refused. Consequently, the appeal stands dismissed.

(R. S. MOHITE, J.)